

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

PHILLIP STEWART
ADC #151956

PLAINTIFF

v.

No. 4:20-cv-517-DPM-JTR

RORY GRIFFIN, Deputy Director;
and SONDRA L. PARKER,
Health Service Administrator,
Correct Care Solutions

DEFENDANTS

ORDER

1. The Court withdraws the reference.
2. Stewart hasn't paid the \$400 filing and administrative fees in this case. And a motion to proceed *in forma pauperis* would be futile because he is a three-striker. Before filing this lawsuit, he'd had at least three cases dismissed for failing to state a claim. *E.g., Stewart v. Hobbs*, 5:13-cv-381-JLH; *Stewart v. Evans*, 5:16-cv-81-DPM; and *Stewart v. Griffen*, 4:17-cv-579-BRW. Further, nothing in Stewart's complaint suggests he's currently in imminent danger of serious physical injury. *Doc. 1*; 28 U.S.C. § 1915(g). His complaint will therefore be dismissed without prejudice. If Stewart wants to pursue this case, then he must pay the \$400 filing and administrative fees and file a motion to reopen by 22 June 2020. An *in forma pauperis* appeal from this Order and

accompanying Judgment would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

20 May 2020